



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jim Green, Project Manager

Public Notice Date: May 17, 2005
Expiration Date: June 17, 2005
Reference: 200401252
Name: Olympia, Port of

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Port of Olympia
915 Washington Street
Olympia, WA 98501
ATTN: Ms. Andrea Fontenot
Telephone: (360) 528-8020

LOCATION: In Budd Inlet, Puget Sound at Olympia, Washington.

WORK: Replace and reconfigure fire-damaged restaurant and deck, tiered timber bulkhead structure, moorage landing, and stormwater outfall. Demolition work will involve the excavation of 1,500 cubic yards of fill and removal of a tiered creosote-timber bulkhead, removal of 220 piling and 4,200 square feet of decking, and removal of a 6-inch stormwater outfall line. Reconstruction work includes driving sheetpiling along 220-feet of shoreline, placing 2,730 cubic yards of shoreline cobble and habitat mix, driving 24 steel piling to support a smaller over-water deck and four piling to support the moorage landing, and the installation of a 12-inch stormwater outfall line.

PURPOSE: The proposed work will replace an existing fire-damaged restaurant and deck used for dining. The moorage landing will provide access to temporary boat moorage used by diners. The proposed sheetpiling and shoreline cobble and habitat mix will provide bank stabilization and improve and expand fish habitat.

MITIGATION: The proposed project includes the replacement of 220 existing creosote piling with 24 steel piling. An existing vertically tiered creosote bulkhead will be replaced with sheetpiling and sloped cobble and habitat mix to improve and expand intertidal habitat. Over-water coverage of the restaurant and deck will be reduced by 1,300 square feet and the onsite stormwater will now receive treatment in compliance with Ecology design criteria.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), Bald eagle (*Haliaeetus leucocephalus*), Coastal-Puget Sound bull trout (*Salvelinus confluentus*),

steller sea lion (*Eumetopias jubatus*), and the marbled murrelet (*Brachyramphus marmoratus*), in the state of Washington, occur in the proposed project area. Critical habitat has been proposed for Chinook salmon and bull trout.

A preliminary determination indicates that the activity may affect, but is not likely to adversely affect endangered or threatened species or proposed critical habitat, designated under the Endangered Species Act of 1973. Informal consultation under Section 7 of the ESA has been initiated with the NMFS and the USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 0.14 acres of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area.

The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general

environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

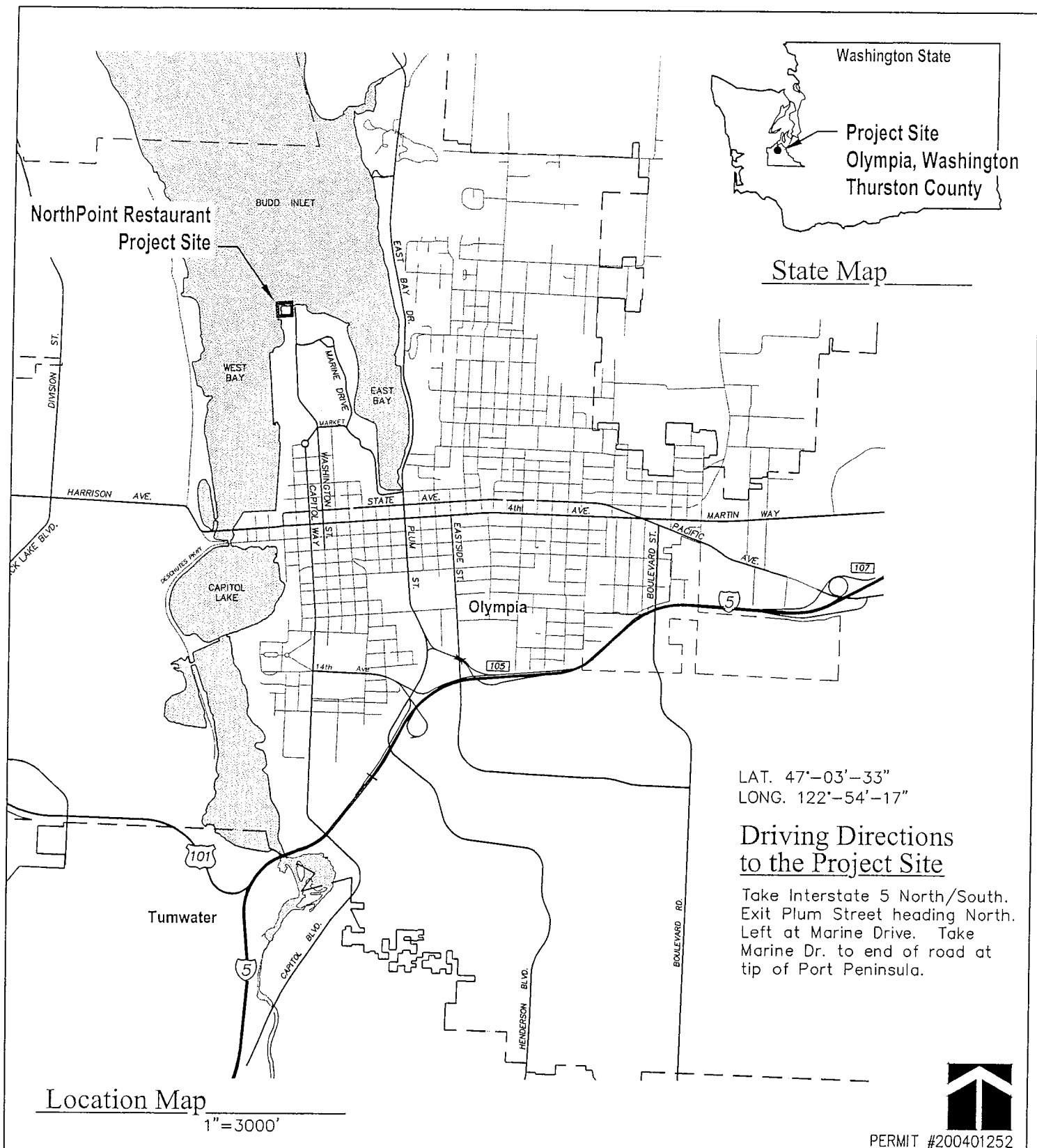
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

The City of Olympia has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Port of Olympia, 200401252

Encl
Drawings (11 sheets)



PURPOSE: WATERFRONT DINING &
SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

LOCATION MAP

NorthPoint Restaurant

DRAWING NAME: Location Map.dwg

PROPOSED RESTAURANT RECONSTRUCTION
AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 1
DATE: 03/09/05

PERMIT #200401252

NorthPoint Restaurant
Project Site
Lat. N47° 3.514'
Long. W122° 54.290'

Budd Inlet

West Bay

East Bay

Marine Terminal

Port of Olympia Office

Marine Dr.

Market Street

Franklin St.

Capitol Way

Columbia St.

Thurston Ave.

Marine Dr.

East Bay Drive

Pium Street



Port of Olympia Peninsula
Vicinity Map

1"=600'

PERMIT #200401252

PURPOSE: WATERFRONT DINING &
SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

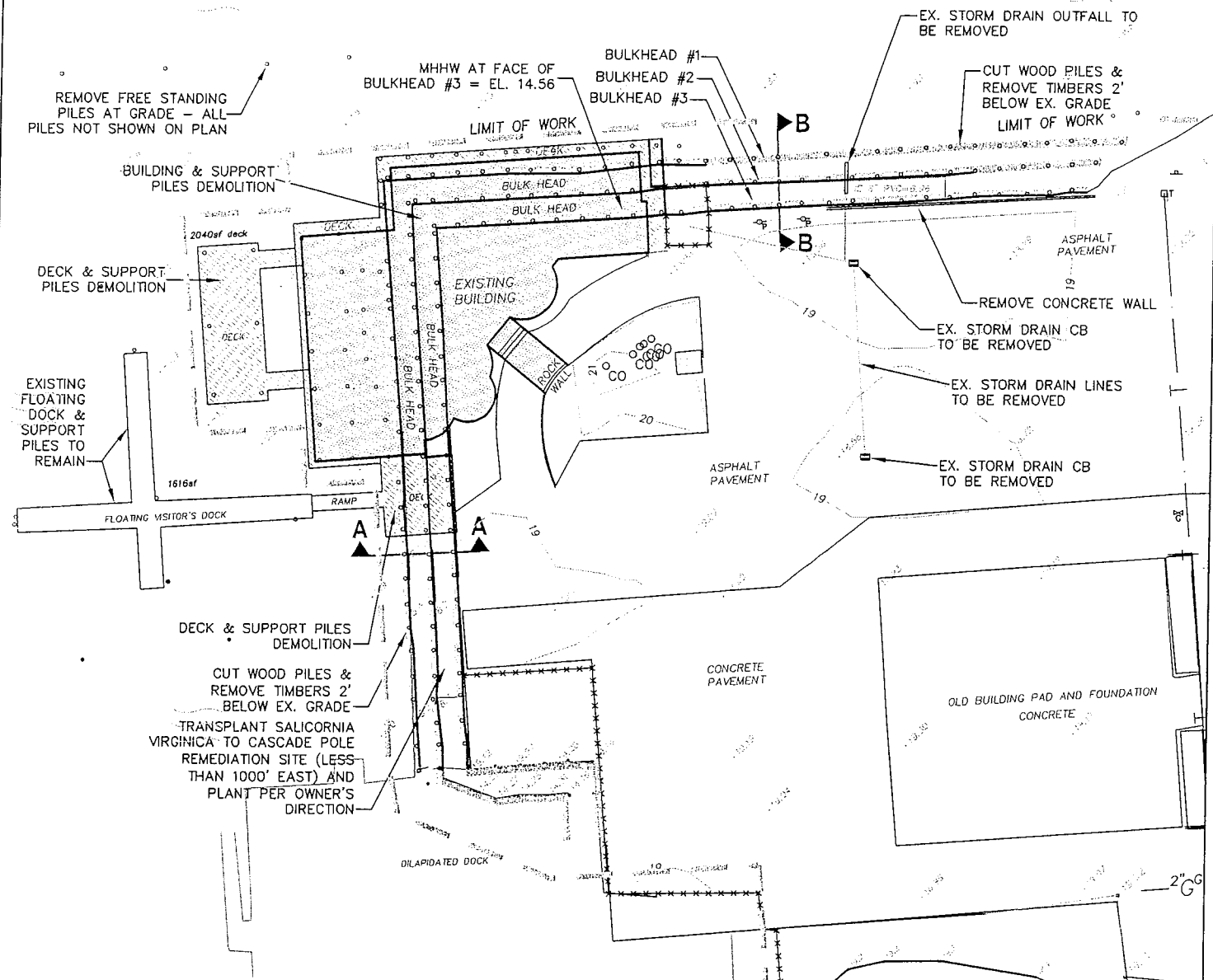
SITE VICINITY MAP

NorthPoint Restaurant

DRAWING NAME: 4120vicinity.dwg

PROPOSED RESTAURANT RECONSTRUCTION
AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 2
DATE: 03/09/05



Demolition Notes

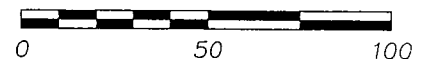
1. APPROXIMATELY 4,200 SQUARE FEET OF CREOSOTE TREATED PLANKING/CROSS BRACING AND 220 PILES WILL BE REMOVED.
2. EXISTING BUILDING/DECK OVER THE WATER IS 7,672 SQUARE FEET.

Tidal Data

MEAN HIGHER HIGH WATER	14.56'
MEAN HIGH WATER	13.54'
MEAN LOWER LOW WATER	0.00'



SCALE IN FEET



PERMIT #200401252

PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

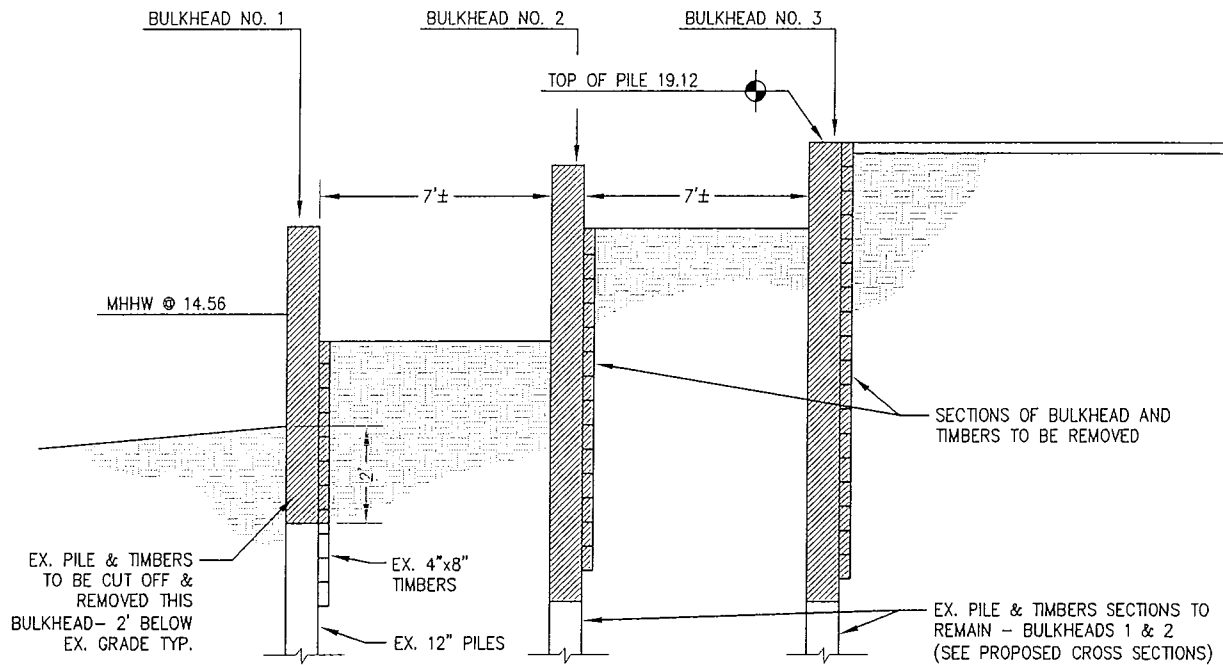
DEMOLITION PLAN

NorthPoint Restaurant

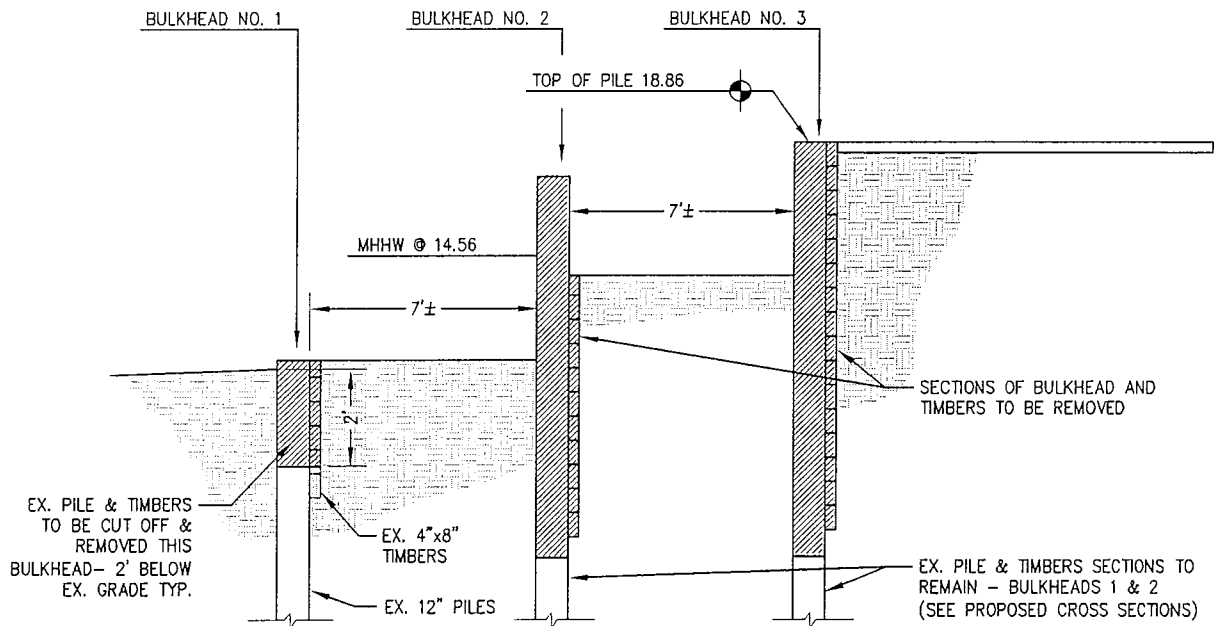
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PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 3
DATE: 03/09/05



Cross Section A - Existing
NOT TO SCALE



Cross Section B - Existing
NOT TO SCALE

PERMIT #200401252

PURPOSE: WATERFRONT DINING &
SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

BULKHEAD DEMOLITION CROSS SECTIONS

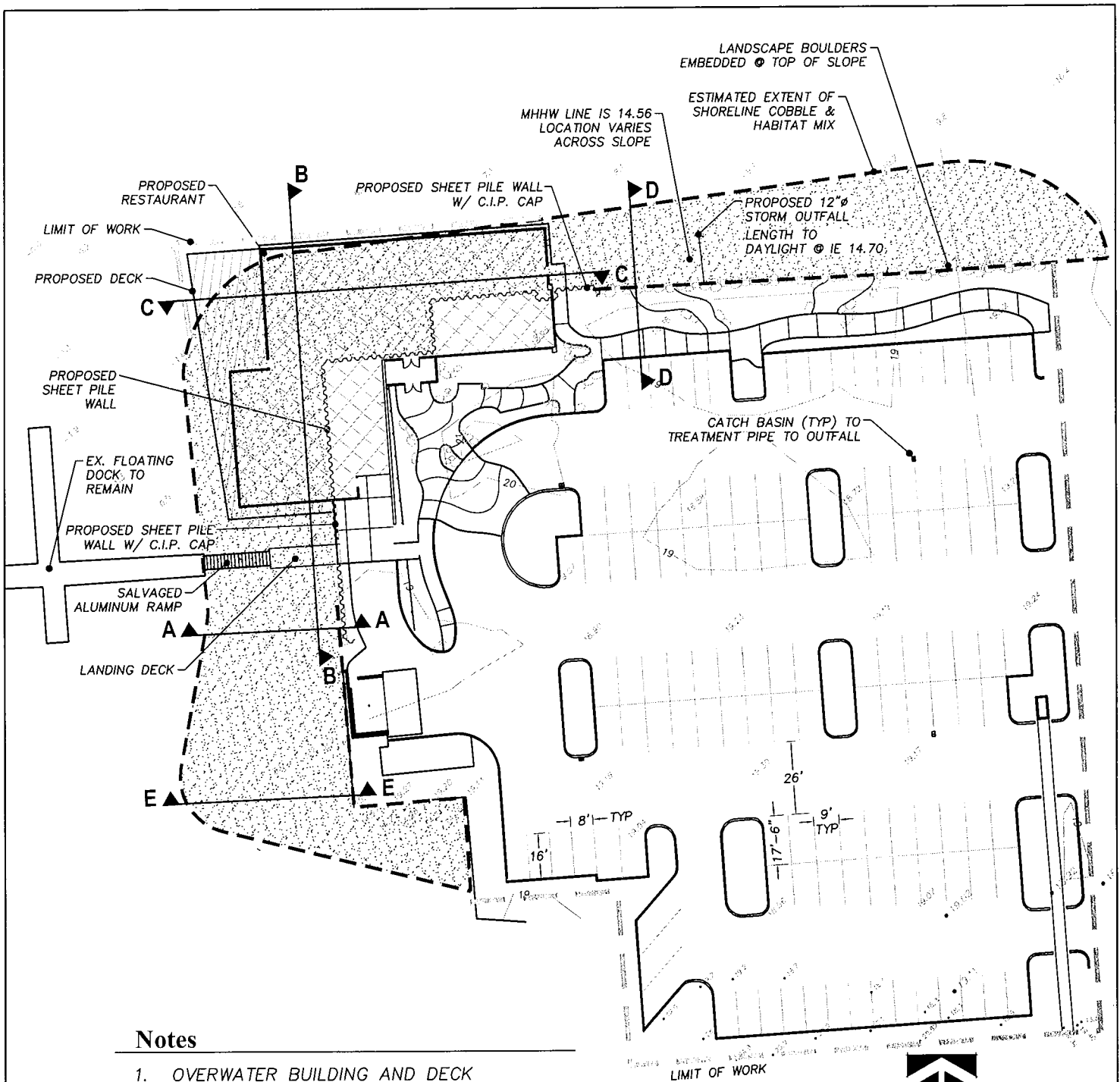
NorthPoint Restaurant

DRAWING NAME: cross_sections.dwg

PROPOSED RESTAURANT RECONSTRUCTION
AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 4

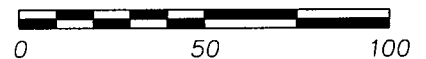
DATE: 03/09/05



Notes

1. OVERWATER BUILDING AND DECK COVERAGE IS PROPOSED TO BE 6,360 SQUARE FEET.
2. FILL AREA BELOW MHHW IMPACTED =0.46 ACRES.
3. 2,730 CY. OF SHORELINE COBBLE & HABITAT MIX PLACED BELOW MHHW LINE.

SCALE IN FEET



PERMIT #200401252

PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION

SITE PLAN

LOCATION: SEC. 11, T18N, RANGE 2W WM

NorthPoint Restaurant

DATUM: N.O.S. - M.L.L.W.=0.0

DRAWING NAME: SitePlan3-9-05.dwg

PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION

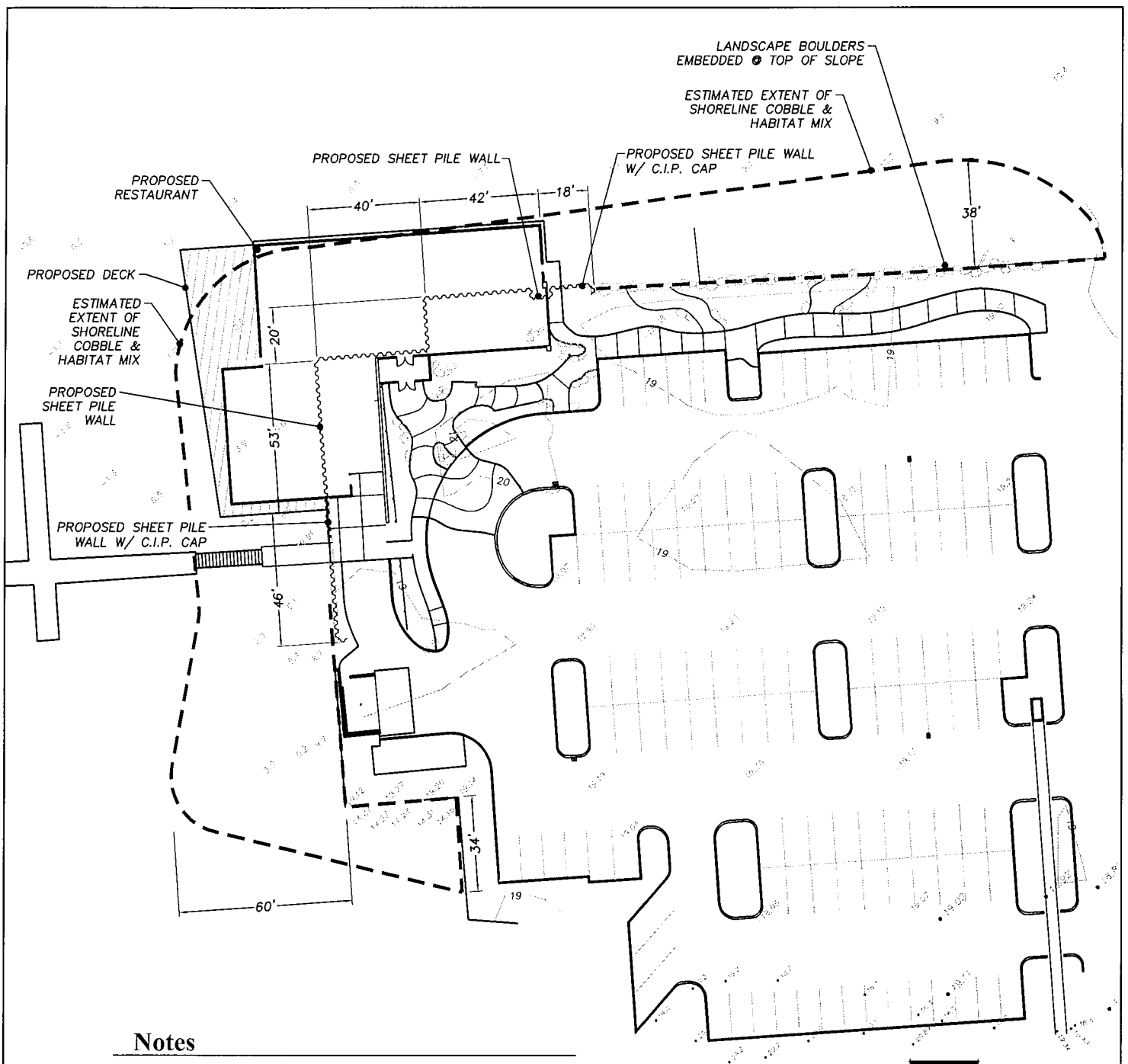
IN: CITY OF OLYMPIA

COUNTY OF: THURSTON, WA

APPLICATION BY: PORT OF OLYMPIA

SHEET5-A

DATE: 03/09/05

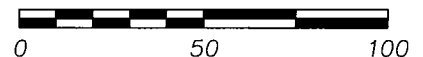


Notes

1. OVERWATER BUILDING AND DECK COVERAGE IS PROPOSED TO BE 6,360 SQUARE FEET.
2. FILL AREA BELOW MHHW IMPACTED = 0.46 ACRES.
3. 2,730 CY. OF SHORELINE COBBLE & HABITAT MIX PLACED BELOW MHHW LINE.



SCALE IN FEET



PERMIT #200401252

PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

SITE PLAN

NorthPoint Restaurant

DRAWING NAME: SitePlan 4-20-05.dwg

PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION

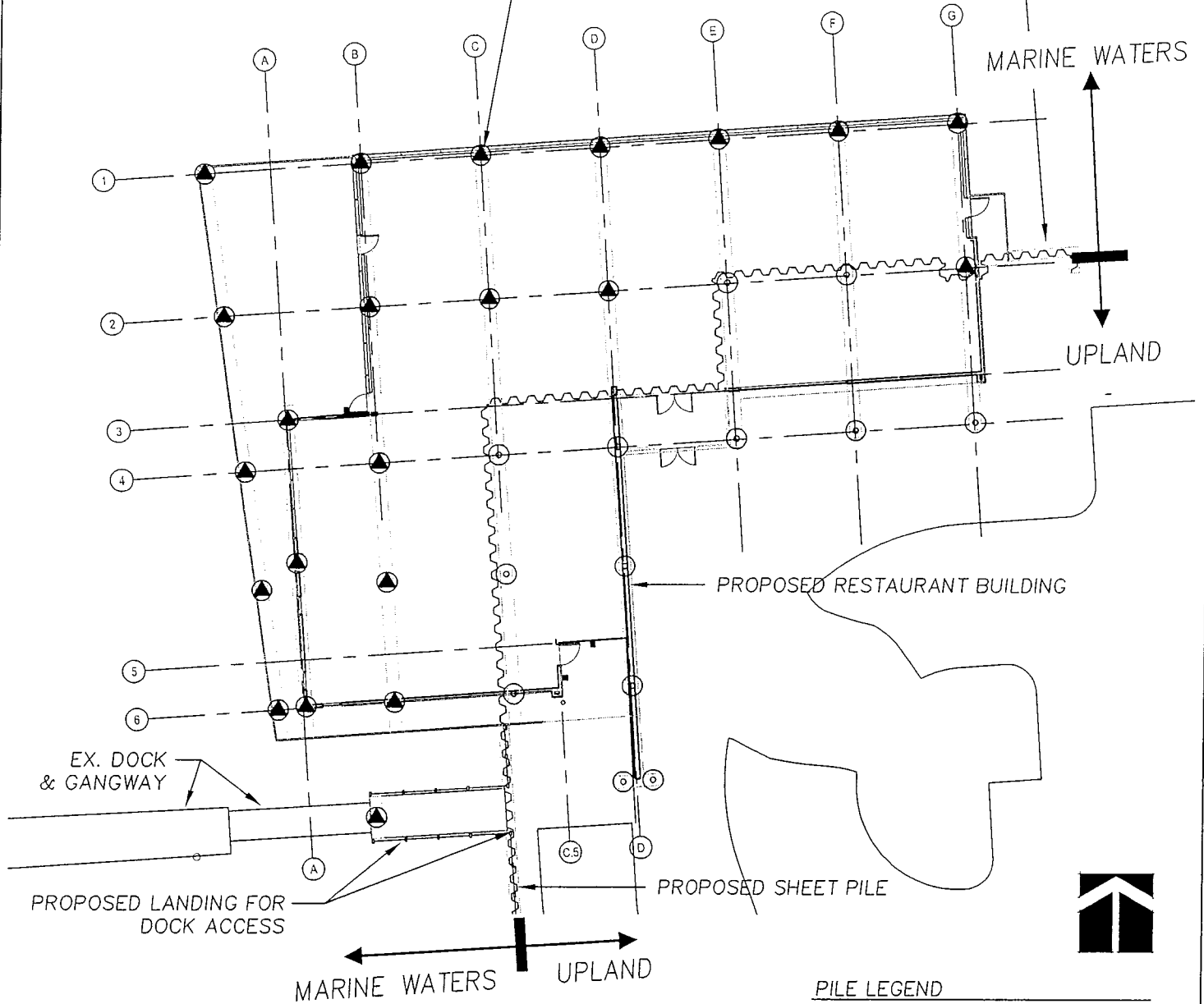
IN: CITY OF OLYMPIA

COUNTY OF: THURSTON, WA

APPLICATION BY: PORT OF OLYMPIA
SHEET5-B

DATE: 03/09/05

PERMIT REQUEST:
(22) 16½" GALVANIZED STEEL PILES
AND 220 LINEAR FEET OF SHEET
PILE PROPOSED BELOW MHHW OR
IN CONTACT WITH MARINE WATERS



Proposed Pile Locations

NO SCALE

PILE LEGEND

- PILES BELOW MHHW LINE (22)
- UPLAND PILES

PERMIT #200401252

PURPOSE: WATERFRONT DINING &
SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

PROPOSED PILE LOCATIONS

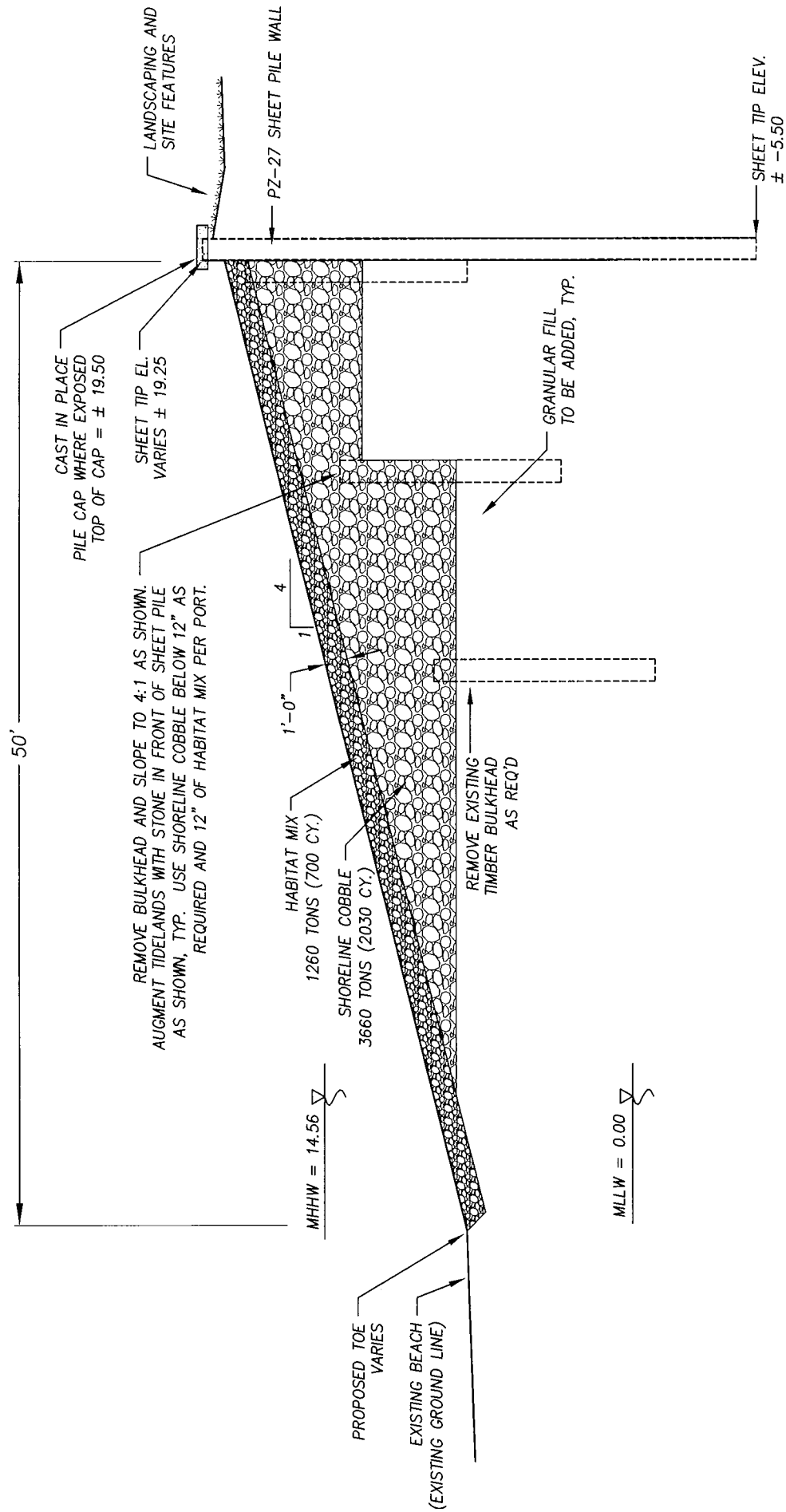
NorthPoint Restaurant

DRAWING NAME: pilelocations3-9-05

PROPOSED RESTAURANT RECONSTRUCTION
AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 6

DATE: 03/09/05



Cross Section A - Existing & Proposed

NOT TO SCALE

PERMIT #200401252

PROPOSED BULKHEAD CROSS SECTIONS

NorthPoint Restaurant

PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION

IN: CITY OF OLYMPIA

COUNTY OF: THURSTON, WA

APPLICATION BY: PORT OF OLYMPIA

SHEET 7

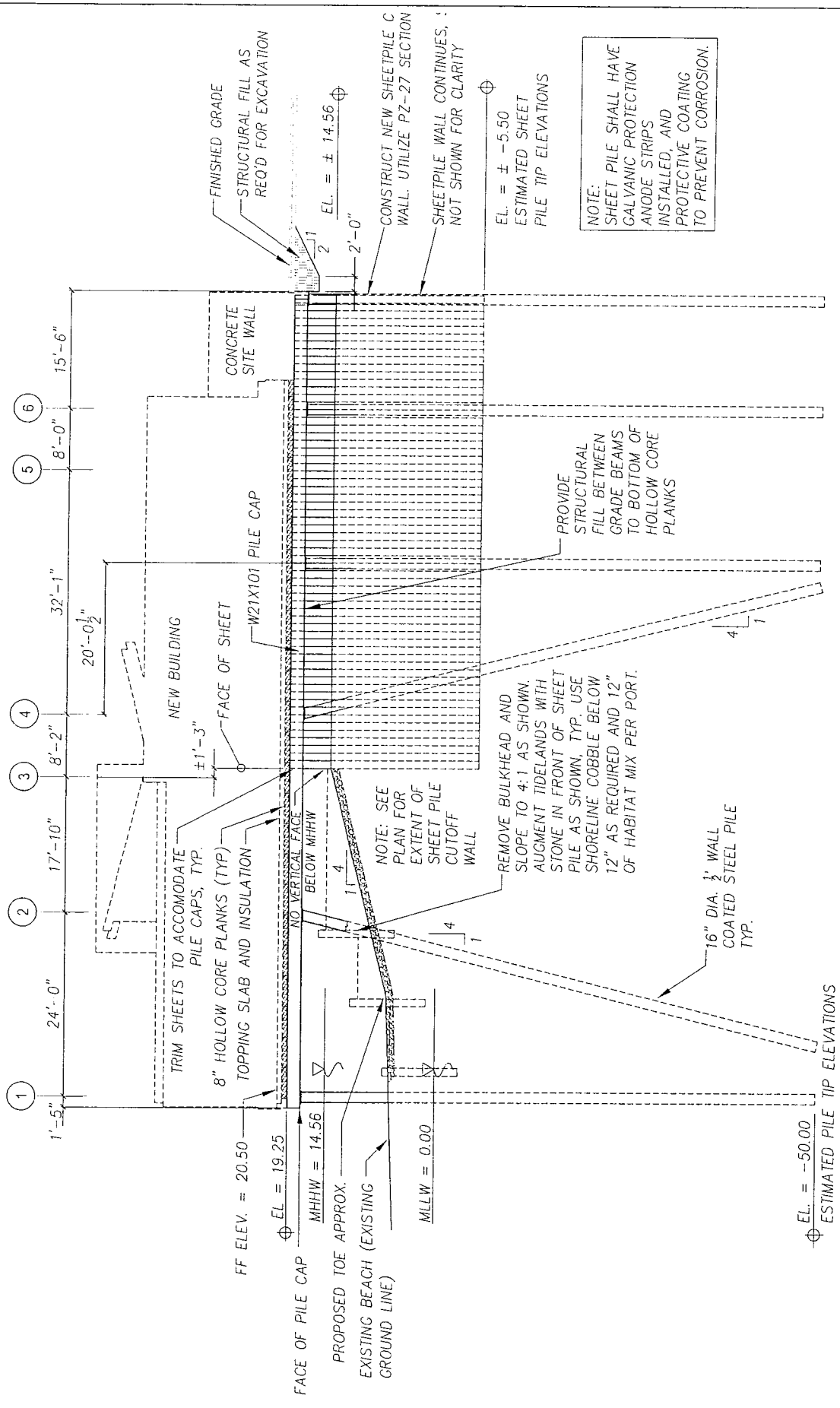
DATE: 03/09/05

PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION

LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0

DRAWING NAME: pro-sections3-8-05

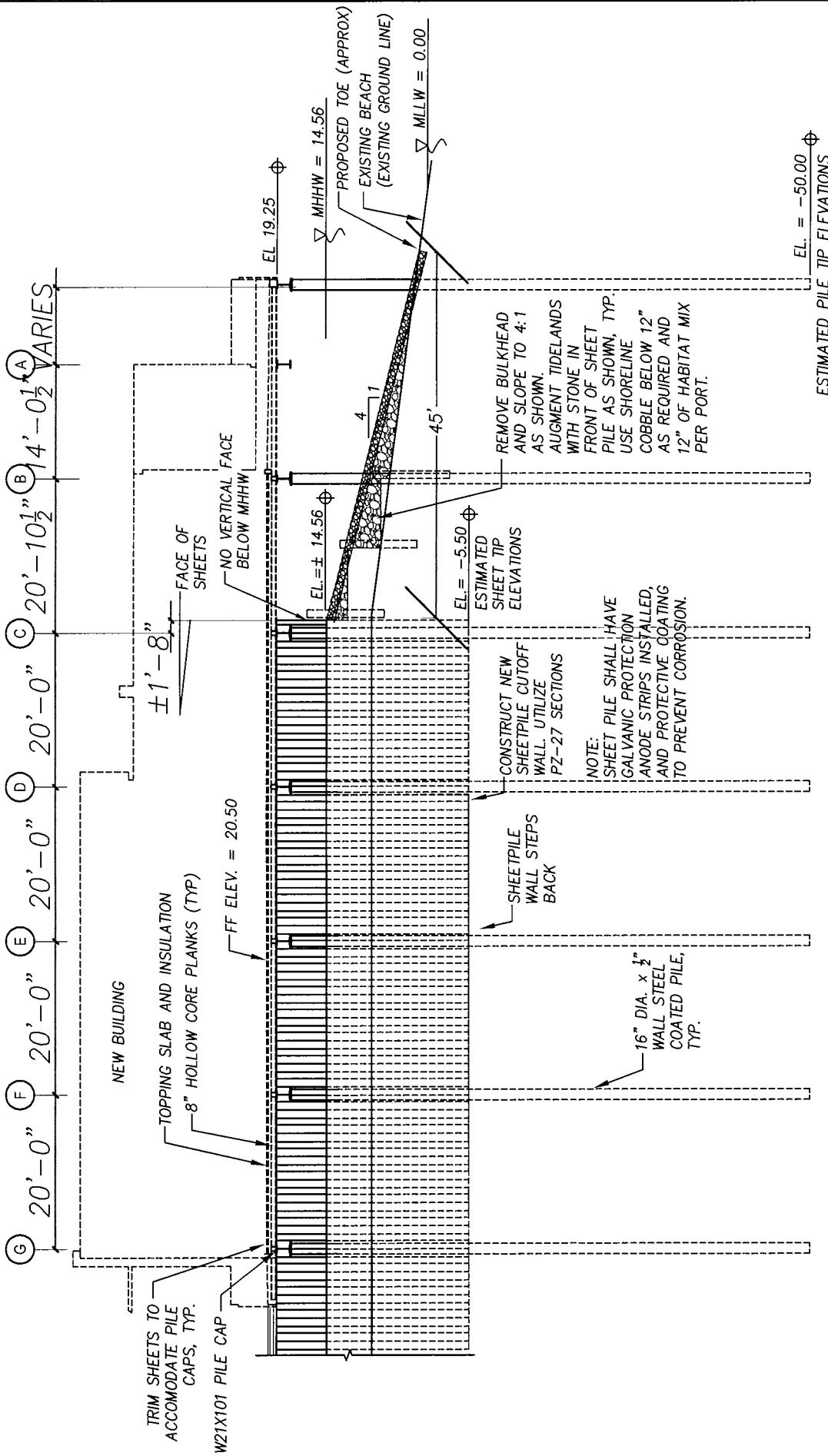


Cross Section B - Existing & Proposed

NOT TO SCALE

PERMIT #200401252

<p>PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION</p> <p>LOCATION: SEC. 11, T18N, RANGE 2W WM</p> <p>DATUM: N.O.S. - M.L.L.W.=0.0</p>	<p>PROPOSED BULKHEAD CROSS SECTIONS</p> <p>NorthPoint Restaurant</p> <p>DRAWING NAME: pro-sections3-8-05</p>	<p>PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION</p> <p>IN: CITY OF OLYMPIA</p> <p>COUNTY OF: THURSTON, WA</p> <p>APPLICATION BY: PORT OF OLYMPIA</p> <p>SHEET 8</p> <p>DATE: 03/09/05</p>
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Cross Section C - Existing & Proposed

NOT TO SCALE

PERMIT #200401252

PROPOSED BULKHEAD CROSS SECTIONS

NorthPoint Restaurant

PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION

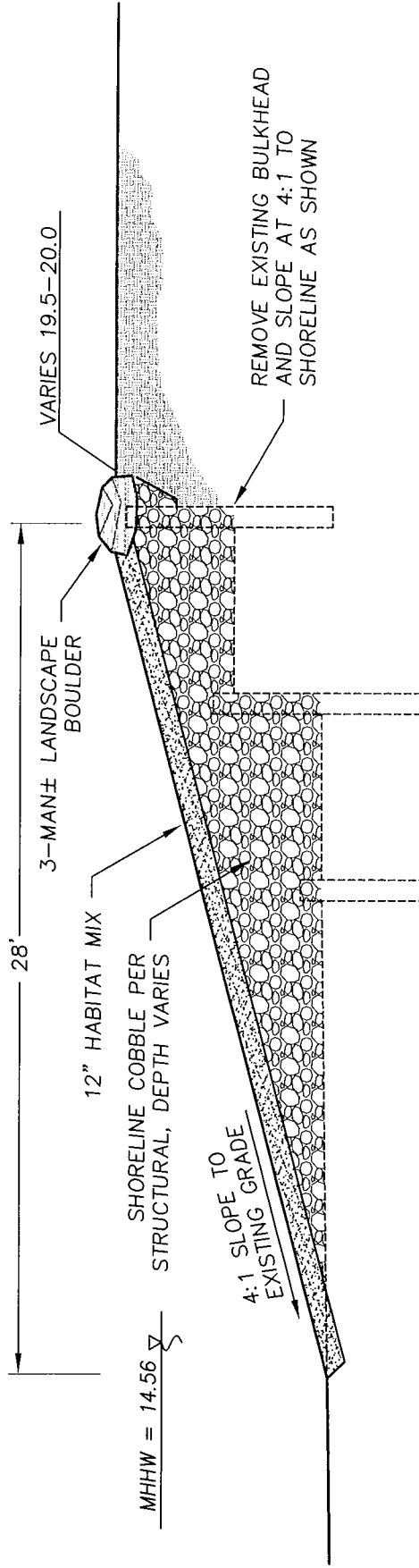
IN: CITY OF OLYMPIA
COUNTY OF: THURSTON, WA
APPLICATION BY: PORT OF OLYMPIA
SHEET 9
DATE: 03/09/05

DRAWING NAME: pro-sections3-8-05

PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION

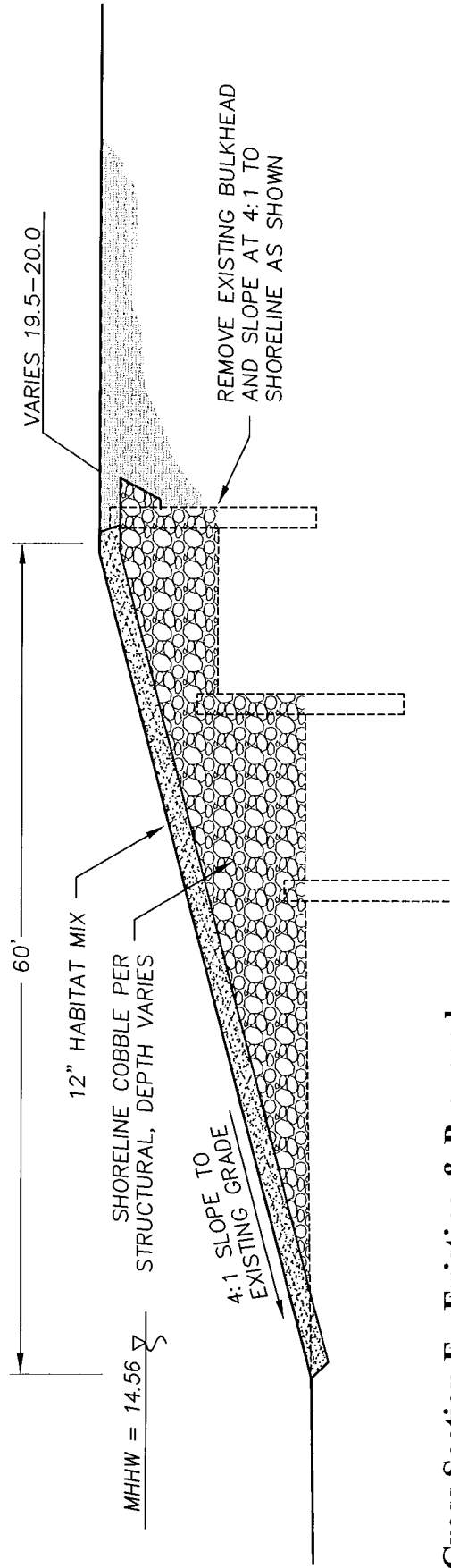
LOCATION: SEC. 11, T18N, RANGE 2W WM

DATUM: N.O.S. - M.L.L.W.=0.0



Cross Section D - Existing & Proposed

NOT TO SCALE



Cross Section E - Existing & Proposed

NOT TO SCALE

PERMIT #200401252

<p>PURPOSE: WATERFRONT DINING & SHORELINE STABILIZATION</p> <p>LOCATION: SEC. 11, T18N, RANGE 2W WM</p> <p>DATUM: N.O.S. - M.L.L.W.=0.0</p>	<p>PROPOSED BULKHEAD CROSS SECTIONS</p> <p>NorthPoint Restaurant</p> <p>DRAWING NAME: <i>pro-sections3-8-05</i></p>	<p>PROPOSED RESTAURANT RECONSTRUCTION AND SHORELINE REHABILITATION</p> <p>IN: CITY OF OLYMPIA</p> <p>COUNTY OF: THURSTON, WA</p> <p>APPLICATION BY: PORT OF OLYMPIA</p> <p>SHEET 10</p> <p>DATE: 03/09/05</p>
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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: May, 17 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401252 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600